

**Security Council**

Distr.: General
11 April 2000

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**Report of the Secretary-General on the United Nations
Mission of Observers in Prevlaka****I. Introduction**

1. The present report is submitted pursuant to Security Council resolution 1285 (2000) of 13 January 2000, by which the Council extended the mandate of the United Nations Mission of Observers in Prevlaka (UNMOP) until 15 July 2000 and requested me to report to it by 15 April 2000.

2. The mission currently consists of 27 United Nations military observers (see annex) headed by a Chief Military Observer, Colonel Graeme Williams (New Zealand).

3. In accordance with its mandate, UNMOP continues to monitor the demilitarization of the Prevlaka peninsula and of the neighbouring areas in Croatia and the Federal Republic of Yugoslavia by conducting vehicle, foot and standing patrols except when restrictions of movement are imposed by either party. The Mission holds regular meetings with the local authorities in order to strengthen liaison, reduce tension, improve safety and security and promote confidence between the parties. The Chief Military Observer also maintains contact with the authorities in Zagreb and Belgrade to address issues arising from the implementation of resolution 1285 (2000). Cooperation between UNMOP and the multinational Stabilization Force is maintained through regular meetings.

**II. Situation in the area of
responsibility of the Mission**

4. Since the submission of my last report, on 31 December 1999 (S/1999/1302), the situation in the

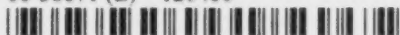
UNMOP area of responsibility has remained stable and calm. UNMOP continues to maintain its 24-hour presence at the team site on the Ostra peninsula, at Herceg Novi in the Federal Republic of Yugoslavia (Montenegro) and at the headquarters at Cavtat and the team site at Gruda in Croatia.

5. The area of responsibility of UNMOP and the designation of the demilitarized and United Nations-controlled zones remain as previously reported. UNMOP maintains the interpretation of the limits of the United Nations-designated zones as defined in reports of the Secretary-General to the Security Council since 1992, regardless of unilateral decisions by one party or the other not to respect the United Nations-mandated security regime. In accordance with established procedure, UNMOP has continued to protest about violations of both the demilitarized zone and the United Nations-controlled zone to the authorities in Croatia and the Federal Republic of Yugoslavia, including the Republic of Montenegro, in order to encourage greater respect for the security regime governing the zones.

6. During the reporting period, neither Croatia nor the Federal Republic of Yugoslavia put in place a comprehensive demining programme in the UNMOP area of responsibility. As a result, the situation of identified minefields in the area remains unchanged.

Demilitarized zone

7. Both parties continue to respect the demilitarized zone, which remains free of formed military units and heavy weapons. In accordance with the security regime, police forces of the parties maintain control of



the zone; these are, on the Croatian side, the Special Police and, on the Yugoslav side, the Montenegrin Border Police. On 7 March 2000, elements of the newly formed Montenegrin Special Police were observed conducting training exercises within the zone. They remain in the zone, bolstering the Border Police presence. The Mission has protested to the respective authorities about occasional minor violations of the security regime by both sides.

8. As indicated in my last report (S/1999/1302, para. 8), the United Nations military observers enjoy unrestricted freedom of movement on the Yugoslav side of the demilitarized zone. On the Croatian side, the authorities continue to require UNMOP to provide advance written notice before undertaking foot or vehicle patrols in the northern part of the zone.

9. The Croatian and Yugoslav (Montenegrin) crossing point at Debeli Brijeg remains open on a 24-hour basis, allowing the movement of civilians and commercial traffic between Croatia and the Federal Republic of Yugoslavia (Montenegro).

United Nations-controlled zone

10. The long-standing violations of the security regime in the United Nations-controlled zone remain unchanged. Approximately 25 Croatian Special Police are located at four positions and approximately 10 Yugoslav (Montenegrin) Border Police are present at two positions inside that zone. The Croatian Special Police conduct patrols throughout the part of the zone accessible to them. In addition, the presence of manned checkpoints of both Croatia and the Federal Republic of Yugoslavia (Montenegro) for the purpose of operating a crossing point at Cape Kobila continues to violate the security regime in the zone. These checkpoints, which are staffed on a 24-hour basis, permit the passage of civilians between Croatia and Montenegro during specified hours (currently 4 hours per day). UNMOP observers continue to report that the number of persons passing through the Cape Kobila crossing point remains negligible in comparison with the number of those using the crossing point at Debeli Brijeg. In the period under review, no vehicles, other than UNMOP vehicles, have crossed between Croatia and the Federal Republic of Yugoslavia (Montenegro) at Cape Kobila.

11. Both the Croatian and Montenegrin authorities continue to permit local residents to enter the United Nations-controlled zone for the purpose of crossing into the Federal Republic of Yugoslavia (Montenegro) and Croatia, respectively. In addition, the Croatian authorities continue to permit civilians, including local and foreign tourists, to enter the zone for fishing, agricultural and recreational purposes. On two occasions during the period under review, Croatian buses carrying local school children were observed in the United Nations-controlled zone. In January, in the context of the Croatian Presidential election campaign, several senior Croatian political figures entered the United Nations-controlled zone. Furthermore, Croatian telecommunications personnel entered the United Nations-controlled zone and installed a public telephone booth at the Croatian checkpoint at Cape Kobila. The waters of the United Nations-controlled zone continue to be violated frequently by Croatian and Yugoslav fishing boats.

12. The activities described above, which involve the unauthorized presence of civilians in the United Nations-controlled zone, constitute violations of the agreed security regime. While they do not constitute a serious security threat, they nevertheless demonstrate that the parties do not ensure full respect for some of the provisions of the security regime freely agreed upon by them.

III. Progress towards a negotiated settlement

13. Both the Federal Republic of Yugoslavia and Croatia have indicated a willingness to resolve their dispute over Prevlaka through bilateral negotiations pursuant to the Agreement on Normalization of Relations signed by them at Belgrade on 23 August 1996 (see S/1996/706, annex). As reported previously, each Government has submitted a proposal for settling the dispute (see S/1998/533 and S/1998/632) and their negotiating teams have held four rounds of talks, the last at Belgrade on 9 March 1999. No talks have been held since that time as Croatia has not extended to the Federal Republic of Yugoslavia an invitation to attend a fifth round.

14. Pursuant to paragraph 5 of resolution 1285 (2000), the Federal Republic of Yugoslavia reported on the state of the negotiations in a letter addressed to me

on 29 March 2000 (S/2000/268). Croatia, for its part, conveyed its position in a letter addressed to me on 5 April 2000 (S/2000/289). These letters reflect substantially divergent views on the way ahead.

IV. Confidence-building measures

15. As previously reported (see S/1999/1051, para. 20), a "package" of recommendations and options for confidence-building was conveyed to the parties by the Secretariat in October 1999. The package covered basic elements of the dispute, confidence-building measures and freedom of movement for local civilians. The withdrawal of all military presence from the demilitarized zone, which was one of the measures proposed, has been implemented by the Federal Republic of Yugoslavia (see S/1999/1302, para. 7). As noted previously (*ibid.*) Croatia does not maintain military formations in the demilitarized zone.

16. Preliminary consultations with the parties on the options presented for consideration have continued during the reporting period, including on the commencement of demarcation of the border, the regularization of the crossing point at Debeli Brijeg, the introduction of a limited access regime for local civilians in the United Nations-controlled zone and on the replacement of the crossing point at Cape Kobila by alternative arrangements worked out under the controlled access regime. These consultations have shown, as do the two letters referred to in paragraph 14 above, that the parties favour some elements of the options package but reject others, reflecting their overall views in the dispute. As a result, their positions on the options package as a whole are far apart.

V. Observations

17. Full compliance with the agreed regime in the demilitarized zone was achieved by the withdrawal of the troops of the Federal Republic of Yugoslavia in December 1999 but has not yet been matched by progress at the political level. Indeed, as indicated in paragraph 13 above, the last round of talks between the parties was held over a year ago. It is very much hoped that, despite the prevailing political difficulties, the parties will find a way to restart their talks since it is difficult to foresee substantial progress being made otherwise.

18. In preparation for a resumption of the negotiations, the parties might usefully return to the options package as a whole and devise, as they see fit, a strategy to give effect to its set of recommendations in a spirit of mutual compromise. UNMOP stands ready to assist with any practical arrangements. Member States may wish to assist the parties in the formulation of such steps as would, *inter alia*, help to create an atmosphere of confidence and thus contribute to moving the negotiation process forward.

19. As observed previously (S/1999/1302, para. 20), although the opening and continued operation of a crossing point at Cape Kobila in the United Nations-controlled zone, as opposed to the operation of the crossing point at Debeli Brijeg in the demilitarized zone, does not of itself constitute a security threat, it is a violation of the United Nations-mandated security regime. In order to address this anomaly, the Federal Republic of Yugoslavia and Croatia could, at their discretion, agree to redefine the security regime. Some suggestions in this regard were put to the parties in the package of options in October 1999. UNMOP stands ready to assist in the development of arrangements to give effect to any agreement on this issue which the parties might reach.

20. Central to the maintenance of stability in the UNMOP area of responsibility is the requirement that the United Nations military observers be permitted to patrol their area of operation without restrictions on their movement. It is therefore essential that the Croatian authorities allow the United Nations military observers unrestricted access to all areas of the demilitarized zone, without preconditions and at all times.

21. In conclusion, the Chief Military Observer and the men and women of UNMOP are to be commended for their continuing efforts to maintain peace and security in their area of responsibility.

Annex

**Composition and strength of the military element of the
United Nations Mission of Observers in Prevlaka as at
1 April 2000**

<i>Nationality</i>	<i>Number of military observers</i>
Argentina	1
Bangladesh	1
Belgium	1
Brazil	1
Canada	1
Czech Republic	1
Denmark	1
Finland	1
Ghana	2
Indonesia	2
Ireland	1
Jordan	1
Kenya	1
Nepal	1
New Zealand	2
Nigeria	1
Norway	1
Pakistan	1
Poland	1
Portugal	1
Russian Federation	1
Sweden	1
Switzerland	1
Ukraine	1
Total	27



**Security Council**

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**Letter dated 11 April 2000 from the Chargé d'affaires a.i.
of the Permanent Mission of Iraq to the United Nations
addressed to the Secretary-General**

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 10 April 2000 from Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq. It concerns the armed aggression launched by the Turkish armed forces against towns and villages in northern Iraq on 1 April 2000, which caused enormous losses in terms of lives and property to Iraqi citizens belonging to our Kurdish people in the area. The Minister urges the United Nations to meet its responsibility, as stipulated in the Charter, to prevent any continuation of Turkish intimidation and aggression.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Rokan Hama **Al-Anbuga**
Chargé d'affaires a.i.



**Annex to the letter dated 11 April 2000 from the Chargé d'affaires
a.i. of the Permanent Mission of Iraq to the United Nations
addressed to the Secretary-General**

Further to the letter dated 24 December 1999 addressed to you by the Minister for Foreign Affairs of Iraq (S/1999/1279, annex), I should like to call your attention to the fact that on 1 April 2000 the Turkish armed forces, supported by fighter aircraft and helicopters and joined by the units maintained in the area following previous hostile operations, engaged in another act of armed aggression against northern Iraq. They entered along three axes at the same time: one force of 1,500 troops by way of Çukurca-Kani Masi, another force of 1,500 by way of Şemdinli-Kani Masi, and a third force of 1,500 by way of Ibrahim al-Khalil towards Çift Naban mountain north-east of Zakho. Enormous losses were caused, in terms of lives and property, to Iraqi citizens belonging to our Kurdish people in the area, to say nothing of the damage done to public property.

This act of aggression by Turkey is the latest in a series of recurring attacks by its forces against Iraq's territory, and it coincides with the hostile military actions being perpetrated against the country on a daily basis by the United States of America and the United Kingdom.

The ongoing series of hostile operations and the flagrant violations of Iraq's territory and airspace that are being committed by the Turkish armed forces only confirm Iraq's repeated warnings against the consequences of the duplicitous policy being pursued by Turkey vis-à-vis the anomalous situation in northern Iraq and against its participation in perpetuating that situation for the implementation of the United States and British scheme to use its territory as a base from which to impose the no-flight zones in northern and southern Iraq and prevent the restoration of legitimate authority there.

In condemning the renewed Turkish aggression, the Government of Iraq calls upon the Turkish Government to withdraw its invading forces from Iraqi territory. It reserves in full its right to determine a time and a place to respond to this bellicose act, and it affirms the right of the Republic of Iraq, in accordance with the Charter of the United Nations and international law, to ensure that Turkey bears full international responsibility for the consequences of its recurring aggression, its violations of Iraq's sovereignty and its exposure of Iraq's security and territorial integrity to the gravest risks.

As I express the hope that the United Nations will fulfil its responsibilities as stipulated in the Charter and will halt the constant intimidation and aggression to which my country is being subjected, I ask you to do your utmost to urge the Turkish Government to comply with the provisions of the Charter of the United Nations and the norms of international law by withdrawing its armed forces from Iraq's territory forthwith.

(Signed) Tariq Aziz
Deputy Prime Minister
Acting Minister for Foreign Affairs

**Security Council**

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Draft resolution

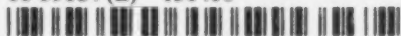
The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolution 1268 (1999) of 15 October 1999,

Reaffirming its view that a continued presence of the United Nations in Angola can contribute greatly to the promotion of peace, national reconciliation, human rights and regional security,

Having considered the report of the Secretary-General of 11 April 2000 (S/2000/304),

1. *Endorses* the decision contained in paragraph 51 of the report of the Secretary-General of 11 April 2000 (S/2000/304) to extend the mandate of the United Nations Office in Angola for a period of six months until 15 October 2000;
 2. *Requests* the Secretary-General to continue his efforts to implement the tasks of UNOA as outlined in resolution 1268 (1999);
 3. *Requests* the Secretary-General to provide every three months a report on developments in Angola, including his recommendations about additional measures the Council might consider to promote the peace process in Angola;
 4. *Decides* to remain actively seized of the matter.
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**Security Council**

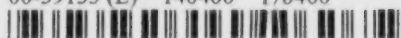
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**Identical letters dated 11 April 2000 from the Chargé d'affaires
a.i. of the Permanent Mission of Iraq to the United Nations
addressed to the Secretary-General and to the President of the
Security Council**

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 10 April 2000 from Mr. Tariq Aziz, Acting Minister for Foreign Affairs of Iraq. The Minister calls attention to the ongoing United States and British aggression against Iraq, as represented by the maintenance of the unlawful no-flight zones, and to the fact that United States and British aircraft carried out 202 sorties over the towns and villages of Iraq in the period from 1 to 7 April 2000 (82 of them from Saudi Arabia, 62 from Kuwait and 58 from Turkey), as a result of which 14 people were killed and 19 were injured. The Minister further urges the Security Council to intervene with a view to halting these acts of aggression.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Rokan Hama **Al-Anbuga**
Chargé d'affaires a.i.



Annex to the identical letters dated 11 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to inform you that United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have continued to violate the airspace of the Republic of Iraq and carried out 202 sorties in the period from 1 to 7 April 2000. Eighty-two of these sorties were from Saudi Arabia, 62 were from Kuwait and 58 were from Turkey, as shown hereunder, and 14 people were killed and 19 were injured as a result.

1. In the northern region 58 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1005 hours on 4 April 2000, United States and British F-14, F-15, F-16 and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Aqrah, Amadiyah, Irbil, Tall Afar, Mosul, Ayn Zalah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1130 hours, drove them off.

(b) At 1018 hours on 5 April 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Aqrah, Amadiyah, Baibo, Mosul, Ayn Zalah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1255 hours, drove them off.

(c) At 1025 hours on 6 April 2000, United States and British F-14 and F-15 aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 22 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Aqrah, Amadiyah, Baibo, Tall Afar, Ayn Zalah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1305 hours, drove them off.

2. In the southern region 144 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 1020 hours on 2 April 2000, United States and British F-14 and F-15 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out six missions, four of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and two from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Salman, Ashbajah and Artawi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1100 hours, drove them off.

(b) At 0855 hours on 3 April 2000, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 30 missions, 18 of

them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 12 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Diwaniyah, Nasiriyah, Najaf, Basrah, Lasaf and Nukhayb areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1005 hours, drove them off.

(c) At 1250 hours on 4 April 2000, United States and British F-14, F-15, F-16 and Tornado aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 38 missions, 18 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 20 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Diwaniyah, Nasiriyah, Najaf, Amarah, Jassan, Wasit, Hayy, Shaykh Sa'd, Lasaf and Ashbajah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1555 hours, drove them off.

(d) At 0855 hours on 6 April 2000, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 48 missions, 24 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 24 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Diwaniyah, Nasiriyah, Najaf, Amarah, Jalibah, Wasit, Hayy, Artawi and Salman areas and attacked civilian and services-related installations, with the result that 14 civilians were killed and 19 were injured. Our air defences, acting in self-defence, engaged the aircraft and, at 1555 hours, drove them off.

(e) At 1235 hours on 7 April 2000, United States and British F-14, F-15, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 22 missions, 18 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and four from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Basrah, Nasiriyah, Salman, Artawi, Jalibah, Taqtaqanah South and Ashbajah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1345 hours, drove them off.

This aggression illustrates the bellicose attitude being maintained by the United States of America and the United Kingdom against Iraq. Since 1992, it has become a fixed policy aimed at undermining the country's sovereignty, independence and territorial integrity and at the systematic and concerted destruction of Iraqi lives, infrastructure and civilian installations. It is a policy that has been affirmed in successive statements made by United States and British officials defending the measures being taken to enforce the no-flight zones.

The Government of Iraq categorically rejects the two so-called no-flight zones, which were imposed by unilateral decision of the United States of America and the United Kingdom and lack any legal basis. Iraq rejects all the consequences of this illegal decision and, in particular, the flimsy excuses and pretexts used by these States in an attempt to justify their military aggression against our country.

The logistic support provided by Saudi Arabia, Kuwait and Turkey to the Americans and the British makes these countries key partners in the aggression being committed against Iraq, so that they bear international responsibility for actions that are deleterious to the people of Iraq.

The Government of Iraq, condemning these acts of aggression against Iraqi civilian targets and installations, urges the Security Council to perform its assigned duties with respect to the maintenance of international peace and security by intervening with the Governments of the countries in question with a view to inducing them to halt, end and desist from any resumption of their constant and unwarranted aggression against an independent and sovereign State.

(Signed) Tariq Aziz
Acting Minister for Foreign Affairs
of the Republic of Iraq

**Security Council**

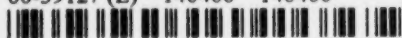
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**Identical letters dated 11 April 2000 from the Chargé
d'affaires a.i. of the Permanent Mission of Iraq to the
United Nations addressed to the Secretary-General and to
the President of the Security Council**

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 10 April 2000 from Mr. Tariq Aziz, Acting Minister for Foreign Affairs of Iraq. The Minister calls attention to the brutal aggression committed by United States and British aircraft against towns and villages in Iraq on 6 April 2000, when 14 civilians were killed and 19 others were wounded, in flagrant violation of the Charter of the United Nations and international law. On that day, such aircraft carried out 24 missions from Saudi Arabia and 24 from Kuwait with the support of an AWACS aircraft operating inside Saudi airspace and an E-2C aircraft operating inside Kuwaiti airspace.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Rokan Hama **Al-Anbuge**
Chargé d'affaires a.i.



**Annex to the identical letters dated 11 April 2000 from the
Chargé d'affaires a.i. of the Permanent Mission of Iraq to
the United Nations addressed to the Secretary-General and
to the President of the Security Council**

I have the honour to inform you that, in the context of the ongoing wanton aggression against the people of Iraq, on 6 April 2000 United States and British aircraft committed another brutal crime in which 14 civilians were killed and 19 others were injured. The details of this atrocity are given hereunder.

From 0855 and 1455 hours on 6 April 2000, United States and British aircraft flew 24 armed sorties from Saudi territory and 24 from Kuwaiti territory with the support of two reconnaissance aircraft, an AWACS operating inside Saudi airspace and an E-2C operating inside Kuwaiti airspace. They overflew the Basrah, Dhi Qar, Muthanna, Qadisiyah, Maysan, Wasit and Najaf governorates and attacked civilian and services-related installations, killing innocent civilians.

As of 6 April 2000, the total number of sorties flown from Saudi and Kuwaiti territory by the United States and the United Kingdom since their major aggression of 17 December 1998 is thus 16,510.

The ongoing aggression of the United States and the United Kingdom against Iraq has come to constitute [a fixed policy for the achievement of their political objectives aimed at undermining the country's sovereignty, independence] and territorial integrity. By the most elementary standards governing international intercourse, the declared policy of the leaders of the two countries in question constitutes flagrant violation of the Charter of the United Nations and all the principles of international law and prevailing international conventions affirming that the use or threat of use of force against the integrity or independence of any State must be rejected.

The logistic support provided by Saudi Arabia, Kuwait and Turkey to the Americans and the British makes these countries key partners in the aggression being committed against Iraq, so that they bear international responsibility for these actions.

Viewing the governments of the countries in question as bearing full international responsibility for these criminal acts and for their consequences and the damage caused by them, the Government of Iraq reserves in full its inalienable right, in accordance with the Charter of the United Nations, the principles of international law and international conventions, to take the measures necessary to defend the inviolability and sovereignty of Iraq's territory and the security of its people as well as its right to seek compensation for all the losses it has sustained in human, material and moral terms owing to these same acts, in accordance with the principle of international responsibility.

(Signed) Tariq Aziz
Acting Minister for Foreign Affairs of the Republic of Iraq

**Security Council**

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**Letter dated 12 April 2000 from the Chargé d'affaires a.i. of the
Permanent Mission of Yugoslavia to the United Nations addressed
to the President of the Security Council**

I have been instructed by my Government to lodge a strong protest at the commission of yet another brutal crime in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, by ethnic Albanian terrorists: in Gnjilane, on 9 April 2000, they shot and killed Dragoljub Stojanovic, 46, a Serb, in the presence of his wife. The crime took place at 10 a.m. on Mr. Stojanovic's doorstep in Ive Lole Ribara Street, in which only a few other houses are still occupied by Serbs, unknown ethnic Albanians having moved in into the rest of them by force. Mr. Stojanovic was a resident of Gnjilane, employed as dredgeman in the local quarry, and was the father of two children.

There is no doubt that the aim of this heinous crime, the third in a row in the last two months, was to intimidate and drive the last remaining Serbs out of Gnjilane and of Kosovo and Metohija altogether. On behalf of the Government of the Federal Republic of Yugoslavia, I call on the Security Council to institute a vigorous investigation of the crime so that its perpetrators can be apprehended, tried and punished. I also call on the Council to see to it that the Kosovo Force (KFOR) and the United Nations Interim Administration Mission in Kosovo (UNMIK) begin to implement their obligations under Security Council resolution 1244 (1999) of 10 June 1999 relative to ensuring a secure environment to all residents of Kosovo and Metohija, in particular to Serbs and other non-Albanians who are threatened by ethnic Albanian terrorism and, to that end, to finally demilitarize and disarm the so-called Kosovo Liberation Army (KLA).

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav Jovanovic
Chargé d'affaires a.i.





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Letter dated 13 April 2000 from the President of the Security Council to the Secretary-General

The members of the Security Council received the organizational plan for the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), submitted through you by its Executive Chairman, Dr. Hans Blix, on 6 April 2000 (S/2000/292 and Corr.1) in accordance with Council resolution 1284 (1999).

The members of the Security Council discussed and, on that basis, approved the organizational plan for UNMOVIC as being in keeping with paragraph 6 of resolution 1284 (1999). The members of the Council look forward to consultations on its implementation.

(Signed) Robert R. Fowler
President of the Security Council



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Letter dated 13 April 2000 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council

The Federal Government and the German public view with utmost concern the tragedy that is about to unfold in the Horn of Africa.

The looming natural disaster is compounded by long-standing armed conflicts in the region. The diversion of resources through excessive expenditures for the purchase of armaments has curtailed the ability of authorities to respond responsibly to the basic needs of their famine-stricken population.

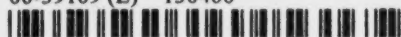
The Federal Minister for Foreign Affairs, Mr. Joschka Fischer, has expressed his dismay about this development in a letter addressed to the Secretary-General, Mr. Kofi Annan, on 7 April 2000 and to the Foreign Ministers of Ethiopia and Eritrea as well as the Secretary-General of the Organization of African Unity. In addition, we experienced that relief supplies to those in need have been seriously impeded, as parties to conflict in the region use the limited transport capacities for military purposes. The whole situation is about to spiral out of control; a humanitarian tragedy of unprecedented magnitude is in the making, which clearly poses a severe threat to the already frail stability in the region.

On behalf of my Government and in accordance with Article 35 of the Charter of the United Nations, I bring this situation to your attention and urge you to put this on the agenda of the Security Council as soon as possible.

We suggest that the Security Council should urgently appeal to the Governments of Ethiopia and Eritrea to avoid any military conflict and solve their problems by peaceful means only. In addition, all countries should be requested to end immediately the sale of arms and weapons into the region, in order not to destabilize the region further. Security Council resolution 1227 (1999) of 10 February 1999 is clearly violated. All available funds and resources should be concentrated to those in dire need.

I do trust that such a meeting of the Security Council will be open to the public and all States Members of the United Nations in order to give interested Member States the opportunity to make their views on the situation known.

(Signed) Dr. Dieter Kastrup
Ambassador



**Security Council**

Distr.: General
14 April 2000

Original: English

**Letter dated 10 April 2000 from the Chargé d'affaires a.i. of the
Permanent Mission of Yugoslavia to the United Nations addressed
to the President of the Security Council**

I have been instructed by my Government to lodge a protest over the initiative of the Special Representative of the Secretary-General of the United Nations in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, to have the Traffic and Infrastructure Department of the United Nations Interim Administration in Kosovo (UNMIK) host a conference on traffic corridors of the Balkans, scheduled to take place in Skopje, 17-21 April 2000. The intention is to invite States and "territories" of the region (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, the former Yugoslav Republic of Macedonia, Romania, the Federal Republic of Yugoslavia, Turkey and the "territory of Kosovo") and representatives of the official organs of the United Nations, European institutions and traffic experts and international financial institutions (International Union of Railways, Euro-control, the International Civil Aviation Organization). The alleged goal of the Conference is to identify and find solutions for the traffic problems of the region in light of the damage suffered by the traffic infrastructure of the Balkans "due to the conflict and the lack of general care of the Balkan countries".

The initiative is yet another decision of the Special Representative taken in violation of his mandate and Security Council resolution 1244 (1999) of 10 June 1999 and in wanton disregard for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. In particular, the introduction of the term "territory of Kosovo" for Kosovo and Metohija, by which that Serbian province is in fact given the same status as the States of the region, is unacceptable to the Federal Republic of Yugoslavia.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) **Branislav Srdanovic**
Chargé d'affaires a.i.



**Security Council**

Distr.: General
14 April 2000

Original: English

**Letter dated 13 April 2000 from the Chargé d'affaires a.i. of the
Permanent Mission of Yugoslavia to the United Nations addressed
to the President of the Security Council**

I have been instructed by my Government to lodge a protest over the visit of Queen Rania of Jordan to Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, which took place without agreement of the authorities of the Federal Republic of Yugoslavia. On 27 March 2000, accompanied by Rupert Scofillo and Ed Greenwood, Executive Director and Kosovo Director of the Foundation for International Community Assistance (FINCA), respectively, Queen Rania went to Milasevo and Prizren where she inaugurated a FINCA microfinancial project. She also visited a local cemetery.

The visit of the Queen of Jordan to the sovereign part of the Federal Republic of Yugoslavia without approval of its authorities is yet another negative precedent in a row that has taken place of late. Visits of foreign dignitaries to Kosovo and Metohija without prior notification to, and approval by, the authorities of the Federal Republic of Yugoslavia are contrary to Security Council resolution 1244 (1999) of 10 June 1999, in particular its provisions relative to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) **Vladislav Jovanovic**
Chargé d'affaires a.i.



**Security Council**

Distr.: General
14 April 2000

Original: English

Note verbale dated 13 April 2000 from the Permanent Mission of Bulgaria to the United Nations addressed to the President of the Security Council

With regard to the ongoing deliberations in the Security Council on possible violations of the Security Council sanctions against the National Union for the Total Liberation of Angola (UNITA), the Permanent Mission of Bulgaria to the United Nations submits upon instructions from Government of Bulgaria, the following information in connection with paragraph 44 of the report of the Panel of Experts (S/2000/203).

The investigation conducted by the Ministry of Defense confirmed that in 1996, 40 Zairian military specialists were trained in P. Volov Military College in the town of Shumen. The training was carried out in accordance with a bilateral agreement between the Ministry of Defense of Bulgaria and the Ministry of Defense of Zaire. The results of the investigation completely exclude the possibility presumed in the report of the Panel of Experts that these military officers could have been UNITA personnel. The Zairian military officers were trained in French and for this purpose interpreters were provided by the Bulgarian side. The trainees communicated among themselves in French, too. A high-ranking Zairian military representative was present at the practical exercise following the concluding stage of the training.

The check-up made by the Ministry of the Interior proved that all military officers in the class entered and stayed in the territory of Bulgaria as Zairian citizens, holding passports issued by the former Zairian authorities. The Ministry of Defense has in its possession the complete list of the Zairian trainees and can make it available to the Sanctions Committee upon request.

The Permanent Mission of Bulgaria would be grateful if the content of the above note verbale would be circulated as a document of the Security Council.





**General Assembly
Security Council**

Distr.: General
14 April 2000
English
Original: French

**General Assembly
Fifty-fourth session
Agenda item 116 (b)**

**Security Council
Fifty-fifth year**

**Human rights questions: human rights questions, including
alternative approaches for improving the effective enjoyment
of human rights and fundamental freedoms**

**Letter dated 12 April 2000 from the Chargé d'affaires a.i. of the
Permanent Mission of Portugal to the United Nations addressed to
the Secretary-General**

I have the honour to draw your attention to the statement entitled "Cambodia: Khmer Rouge Tribunal", issued on 10 April 2000 by the Presidency of the European Union on behalf of the European Union (see annex).

I should be grateful if you would have the text of this letter and its annex distributed as a document of the General Assembly, under agenda item 116 (b), and of the Security Council.

(Signed) Nuno Brito
Chargé d'affaires ad interim
Deputy Permanent Representative of Portugal to the United Nations



**Annex to the letter dated 12 April 2000 from the Chargé
d'affaires a.i. of the Permanent Mission of Portugal to the
United Nations addressed to the Secretary-General**

[Original: English and French]

**Statement on Cambodia: Khmer Rouge Tribunal, issued on
10 April 2000 by the Presidency of the European Union on behalf
of the European Union**

The European Union welcomes the continued dialogue between the United Nations and the Cambodian authorities on the proposed Khmer Rouge Tribunal.

The European Union is following the process leading up to the trials by such a Tribunal with close interest. It recalls that the Tribunal should meet international standards of justice, fairness and due process and be supported by the United Nations.

The European Union fully supports the efforts of the United Nations and the Cambodian authorities in their attempts to achieve an early agreement.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus, Malta and Turkey, and the European Free Trade Association countries members of the European Economic Area align themselves with this statement.



Security Council

Distr.: General
14 April 2000
English
Original: French

Letter dated 12 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the statement on the situation in the Democratic Republic of the Congo issued on 12 April 2000 by the Presidency of the European Union on behalf of the European Union (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Nuno Brito
Chargé d'affaires a.i.

Deputy Permanent Representative of Portugal to the United Nations



Annex

[Original: English and French]

Statement on the situation in the Democratic Republic of the Congo issued on 12 April 2000 by the Presidency of the European Union on behalf of the European Union

The European Union expressed its deep concern at the continuing tension in the Democratic Republic of the Congo and once again urges all parties to the conflict to halt immediately all military activities and respect in full their commitments under the Lusaka Agreement.

The European Union reiterates its strong support for the Lusaka Agreement and stands ready to continue to assist African efforts and to back the United Nations in managing the crisis and in restoring peace and stability to the Democratic Republic of the Congo through political, diplomatic and financial means. In this regard, the European Union recalls its earlier decision to support the Joint Military Commission as well as the facilitating role of former President Katumile Masire.

The European Union stresses, however, that the ultimate responsibility for the implementation of the Lusaka Agreement continues to rest with the Parties themselves, including by assuring that conditions are in place to enable the early deployment of the United Nations Observer Mission.



Security Council

Distr.: General
17 April 2000

Original: English

Letter dated 14 April 2000 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo covering the period from 23 February to 22 March 2000.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kofi A. Annan



Annex

Monthly report to the United Nations on the operations of the Kosovo Force

1. Over the reporting period (23 February-22 March), there were approximately 45,500 Kosovo Force (KFOR) troops deployed in theatre, with no major deployment changes since the last report, although three countries deployed additional troops into Kosovo for employment in Multinational Brigade (MNB) (North) in the vicinity of Mitrovica.

Security

2. During the period, the overall level of violence in the province has declined, despite numerous acts of violence in the Mitrovica area. The most serious incidents occurred in the first half of the reporting period, and consisted of clashes between ethnic communities near the bridges over the River Ibar. With the establishment of a confidence area in the vicinity and an increase in the KFOR presence, levels of street violence have diminished and Mitrovica has become calmer. Tension nevertheless remains high, with the potential for a renewal of violence.

3. Outside Mitrovica, levels of violence have remained constant, and include arson attacks against Serb and Roma houses in the areas covered by MNB (South) and MNB (Central); grenade or mortar attacks perpetrated against shops, restaurants and stadia in MNB (East) and MNB (South); and mine explosions in MNB (East) and MNB (South) injuring two women and damaging a bus. Other acts of violence against civilians included beatings, assaults and shootings.

4. KFOR troops continue to uncover and confiscate caches of weapons in Mitrovica and elsewhere in the area of operations. On 15 March MNB (East) conducted a cordon-and-search operation in the area of Stublina, along the Kosovo-Presevo Valley boundary, and confiscated weapons, ordnance and equipment.

5. Over the reporting period, a number of acts of violence were committed against KFOR and the United Nations. On 29 February at Srbica in MNB (North) a soldier died after being shot twice in the chest. On 7 March during the bridge violence in Mitrovica, 16 KFOR soldiers were injured in a grenade attack, and on 15 March four KFOR soldiers were injured in stoning attacks while establishing part of the confidence area in the proximity of the bridges. In another incident on 29 February on the road between Lucane and Dobrosin in

the Presevo Valley, a United Nations vehicle was shot at on the Serbian side of the boundary, and one of the two United Nations members suffered a gunshot wound in the leg. The attackers could not be identified.

6. KFOR troops continue to provide appropriate control of Kosovo's internal boundaries and external borders. No violations of Security Council resolution 1160 (1998) have been reported, although some limited cross-border smuggling may be occurring on foot.

Cooperation and compliance by the parties

7. With respect to the Kosovo Protection Corps (KPC), the application during the reporting period by UNMIK, KFOR and the KPC leadership of the disciplinary code and compliance enforcement framework (see below) has resulted in the expulsion of four members of the Corps, the barring of one member of the provisional KPC from joining the Corps, and the ongoing investigation of five others.

8. In general, the army (VJ) and security forces of the Federal Republic of Yugoslavia continue to comply with the terms of the military technical agreement and to be cooperative in their dealings with KFOR. VJ units continue to conduct seasonal training in southern Serbia, near the ground safety zone, which is expected to continue during April.

Cooperation with international organizations

9. As at 22 March, the UNMIK police force numbered 2,571, including 209 border police. Companies of special (riot) police have begun to arrive. Of the 10 required by UNMIK, the first is in place, the second is scheduled to arrive at the end of March, and two additional companies in mid-April. Working alongside of UNMIK police, 347 locally recruited and trained Kosovo Police Service cadets are conducting on-the-street training. The next class of 225 police students started training on 20 March. Since the Service was formed, there have been 24 disciplinary investigations of cadets, three have been expelled for criminal activity, six reprimanded for policy violations, and one is under long-term suspension for repeated policy violations. It is estimated that by December 2000 there will be 2,751 trained individuals in the Kosovo Police Service, thereby allowing UNMIK to

achieve the desired 3,200 to 4,000 trained members of the Service by the summer of 2001.

10. The establishment of the Kosovo Protection Corps is progressing, and it is becoming capable of providing emergency services to UNMIK and of contributing to the reconstruction of the civilian infrastructure. UNMIK and KFOR will continue to ensure the adherence of the Corps to its civilian mandate. Initial recruitment to fill the permanent establishment of 4,510 was completed on 1 March, on the same day that the KPC disciplinary code became effective. The code, which was put into force by UNMIK and KFOR, constitutes the legal basis for enforcement of the rules for compliance and disciplinary action against offenders. The current final draft is subject to further review by UNMIK within two months for adaptation in line with the Kosovo Police Service disciplinary code. The code applies to all members of the Kosovo Protection Corps who have signed an oath of office, and provides a legal basis for the Corps Commander to take disciplinary action against non-compliant members. In addition, on 17 March, UNMIK and KFOR signed the compliance enforcement framework document, which assigns responsibility for investigating criminal actions to UNMIK, administrative discipline to KPC, and compliance violations to KFOR.

11. KFOR continues to support UNMIK at all levels of the civil administration. With regard to humanitarian project management and reporting, KFOR and UNMIK signed a joint policy paper on 1 March establishing a systematic framework to identify, coordinate and supervise KPC work. Projects will be coordinated by a central committee chaired by the UNMIK Department of Civil Security and Emergency Preparedness and including representatives of KFOR permanent headquarters and KPC headquarters. Final approval authority over KPC work projects will be the responsibility of regional administrations, and proposed projects which raise security concerns can be vetoed by KFOR multinational brigades.

12. The Kosovo Transitional Council continues to meet and has underlined its commitment to working towards a united Mitrovica in a united Kosovo, with all national communities able to stay and lead a normal and peaceful life.

Return of refugees and displaced persons

13. Between July 1999 and 21 March 2000 the refugee repatriation programme organized by the International Office of Migration (IOM) and the Office of the United Nations High Commissioner for Refugees (UNHCR) assisted 135,335 voluntary returns, primarily from third countries. In the reporting period, 3,303 voluntary returns were assisted by IOM and UNHCR, and another 4,700 assisted returns are expected during April.

14. With respect to the forthcoming repatriation of other refugees from third countries, IOM, UNHCR and KFOR together are meeting regularly to ensure their safe transition. Four locations in the area of Pristina are being investigated for use as reception centres.

15. With regard to internally displaced persons, there continue to be examples of cooperation between the Serb and Albanian communities, although this is not a general trend. KFOR, UNMIK, UNHCR and the Organization for Security and Cooperation in Europe continue to work closely together to improve conditions for the Serb minority in Orahovac, Velika Hoca and Djakovica.

16. In response to a recent influx of people in eastern Kosovo from the Presevo Valley in southern Serbia, a UNHCR task force is to prepare a contingency plan. The task force comprises units dealing with a protection programme, site planning, logistics and public information, as well as a winter emergency team.

Outlook

17. Tension is expected to remain high in Mitrovica in the short term. KFOR will continue to work in close coordination with UNMIK to promote and maintain security and stability in the province.

**Security Council**

Distr.: General
17 April 2000

Original: English

Note by the President of the Security Council

1. The members of the Security Council recall the note by the President of 29 January 1999 (S/1999/92) which contained a number of practical proposals to improve the work of the sanctions committee in accordance with the resolutions concerned.

2. The members of the Security Council note the work of the General Assembly and also note that there exists considerable recent scholarship on the subject of United Nations sanctions that merits consideration by the members of the Council. In particular, they note recent efforts by Canada, Germany, Switzerland, the United Kingdom of Great Britain and Northern Ireland and others to sponsor specific reports and studies on aspects of United Nations sanctions.

3. Taking account of the note by the President of 29 January 1999 and other relevant proposals and recommendations, including those referred to in paragraph 2 above, the members of the Security Council have decided to establish on a temporary basis an informal working group of the Council to develop general recommendations on how to improve the effectiveness of United Nations sanctions. The working group should benefit from all available sanctions expertise, including by being briefed, on a case-by-case basis, by appropriate experts. The working group should report its findings to the Council by 30 November 2000.

4. The informal working group should examine, *inter alia*, the following issues in all aspects with a view to improving the effectiveness of sanctions:

- a. working methods of sanctions committees and inter-committee coordination;
- b. capacity of the United Nations Secretariat;
- c. coordination within the United Nations system and cooperation with regional and other international organizations;
- d. design of sanctions resolutions including the conditions for the maintaining/lifting of sanctions;
- e. pre- and post-assessment reports and the ongoing evaluation of sanctions regimes;
- f. monitoring and enforcement of sanctions;
- g. unintended impacts of sanctions;



- h. humanitarian exemptions;
- i. targeted sanctions;
- j. assisting member States in implementing sanctions;
- k. implementation of the recommendations of the above-mentioned note by the President.

5. The members of the Security Council request the Secretariat to provide the informal working group with interpretation in the six working languages of the United Nations.

**Security Council**

Distr.: General
17 April 2000

Original: English

Letter dated 14 April 2000 from the President of the Security Council to the Secretary-General

I have the honour to inform you that the members of the Security Council have agreed to accept the invitation of Bernard Kouchner, your Special Representative for the United Nations Interim Administration Mission in Kosovo (UNMIK).

The members of the Security Council have agreed on the terms of reference of the Security Council mission (see annex).

Following consultations with the members, it has been agreed that the composition of the mission is as follows:

Bangladesh (Ambassador Anwarul Karim Chowdhury — Head of mission)
Argentina (Ambassador Arnaldo M. Listre)
Canada (Ambassador Michel Duval — Presidency of the Security Council)
China (Ambassador Shen Guofang)
France (Ambassador Jean-David Levitte)
Jamaica (Ambassador M. Patricia Durrant)
Malaysia (Ambassador Hasmy Agam)
Russian Federation (Ambassador Sergey V. Lavrov)
Ukraine (Ambassador Volodymyr Yu. Yel'chenko)

We would ask that Mr. Kouchner assist with the necessary arrangements for the mission, including notifying the representatives of the Government of the Federal Republic of Yugoslavia in Pristina.

It is the intention of the mission to depart New York in the evening of 26 April. To that end, I would be most grateful if the Secretariat could make the necessary arrangements.

(Signed) Robert R. Fowler
President of the Security Council



Annex

Security Council mission on the implementation of resolution 1244 (1999)

Terms of reference

1. Concerned about obstacles to the implementation of resolution 1244 (1999) of 10 June 1999, the Security Council has decided to accept the invitation made by the Special Representative of the Secretary-General in Kosovo, Bernard Kouchner, during his briefing to the Council on 6 March 2000.

2. The Council has therefore decided to send a mission there headed by Ambassador A. Chowdhury on 28 and 29 April 2000, with the following objectives:

(a) To look for ways to enhance support for the implementation of resolution 1244 (1999);

(b) To observe the ~~operations~~ of the United Nations Interim Administration Mission in Kosovo (UNMIK) and its activities and to gain a greater understanding of the situation on the ground in order to comprehend better the difficult challenges faced by UNMIK;

(c) To convey a strong message to all concerned on the need to reject all violence; ensure public safety and order; promote stability, safety and security; support the full and effective implementation of resolution 1244 (1999); and fully cooperate with UNMIK to this end;

(d) To review ongoing implementation of the prohibitions imposed by Security Council resolution 1160 (1998) of 31 March 1998.



Security Council

Distr.: General
17 April 2000
English
Original: Russian

Letter dated 14 April 2000 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the statement dated 14 April 2000 by the official representative of the Ministry of Foreign Affairs of the Russian Federation in connection with the Security Council's consideration of the report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), Hans Blix (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) S. Lavrov



Annex to the letter dated 14 April 2000 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Text of the statement dated 14 April 2000 by the official representative of the Ministry of Foreign Affairs of the Russian Federation

On 13 April 2000, the Security Council considered the report by the head of the new Commission for disarmament monitoring in Iraq (UNMOVIC), Hans Blix, on the structure of and the principles for staffing the working body being set up (S/2000/292). At first glance, this involves a "technical" step within the framework of implementing Security Council resolution 1284 (1999) on Iraq. Nevertheless, questions of principle connected with the resumption of Iraq's cooperation with the United Nations again arise.

As is well known, the Russian Federation, together with a number of other members of the Security Council, was unable to support resolution 1284 (1999) owing to the lack of clarity and ambiguity of its wording. Unfortunately, the report of Mr. Blix is not without such flaws either. One of its main defects is the lack of a significant political component which would ensure a balance in the activities of the new verification mechanisms and make it possible to avert potential clashes and disputes with Iraq.

The report does not clearly prescribe procedures for conducting inspections, taking samples or aerial monitoring and fails to mention anything about the need to reach agreement on these procedures with Baghdad. It was precisely in connection with these questions that many serious problems arose during the period in which the former United Nations Special Commission was operating in Iraq. Nor can we share the report's overstated assessment of the experience of the staff members of that body, which compromised itself. There must be no return to Butler's working methods.

The practical aspects of the new Commission's activities require substantial revision. It is the position of the Russian Federation that further measures to implement the report of Mr. Blix will be undertaken in consultations with the members of the Security Council, as was also reflected in the Council's reaction to this document. Our final assessment of the steps being taken to implement the disarmament section of resolution 1284 (1999) will depend on the specific form that the plans being proposed take.

**Security Council**

Distr.: General
17 April 2000

Original: English

Letter dated 17 April 2000 from the Secretary-General to the President of the Security Council

Further to my letter of 6 April 2000 (S/2000/294), I have the honour to inform you that the Permanent Representative of Israel, Ambassador Yehuda Lancry, conveyed to me today the attached formal notification by Foreign Minister Levy of his Government's decision to withdraw its forces present in Lebanon by July 2000. Mr. Levy stated that the withdrawal is to be carried out in full accordance with Security Council resolutions 425 (1978) and 426 (1978) and that Israel intends to cooperate fully with the United Nations.

I have initiated preparations to enable the United Nations to carry out its responsibilities under resolutions 425 (1978) and 426 (1978). I intend to consult with the parties and interested Member States, including those contributing troops to the United Nations Interim Force in Lebanon (UNIFIL). To this end, I have requested my Special Envoy, Mr. Terje Roed-Larsen, to go to the region as soon as practical.

I shall keep the Council informed of relevant developments, including the outcome of these consultations and my own conclusions regarding the plans and requirements for the implementation of resolutions 425 (1978) and 426 (1978).

(Signed) Kofi A. Annan



Annex

Letter dated 17 April 2000 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I have the honour to include herewith a letter addressed to Your Excellency by the Minister for Foreign Affairs of the State of Israel, H.E. Mr. David Levy.

(Signed) Yehuda **Lancry**
Ambassador
Permanent Representative

Enclosure

**Letter dated 17 April 2000 from the Minister for Foreign Affairs
of Israel addressed to the Secretary-General**

I am writing to notify you, in pursuance of recent contacts, of the decision of the Government of Israel to withdraw its forces present in Lebanon, to be completed by July 2000. We intend to carry out the above in full accordance with Security Council resolutions 425 and 426 (1978).

The Government of Israel intends to cooperate fully with the United Nations in the implementation of its decision.

The Government of Israel will do its utmost to assist the United Nations and cooperate in performing its other tasks as encompassed in the above-mentioned resolutions, including the restoration of international peace and security.

(Signed) David Levy
Minister for Foreign Affairs
The State of Israel

**Security Council**

Distr.: General

18 April 2000

Original: English

Draft resolution*The Security Council,*

Reaffirming its resolution 864 (1993) of 15 September 1993 and all subsequent relevant resolutions, in particular resolutions 1127 (1997) of 28 August 1997, 1173 (1998) of 12 June 1998 and 1237 (1999) of 7 May 1999,

Reaffirming also its commitment to preserve the sovereignty and territorial integrity of Angola,

Expressing its alarm at the impact of the continuing civil war on the civilian population of Angola,

Reiterating that the primary cause of the present crisis in Angola is the refusal of the *União Nacional Para a Independência Total de Angola* (UNITA), under the leadership of Mr. Jonas Savimbi, to comply with its obligations under the "Accordos de Paz" (S/22609, annex), the Lusaka Protocol (S/1994/1441, annex) and relevant Security Council resolutions, and *reiterating also* its demand that UNITA comply immediately and without condition with those obligations, in particular the complete demilitarization of its forces and full cooperation in the immediate and unconditional extension of State administration throughout the territory of Angola,

Noting that the measures against UNITA are intended to promote a political settlement to the conflict in Angola by requiring UNITA to comply with the obligations which it undertook under the "Accordos de Paz" and the Lusaka Protocol and by curtailing the ability of UNITA to pursue its objectives by military means,

Emphasizing its concern at violations of the measures concerning arms and related matériel, petroleum and petroleum products, diamonds, funds and financial assets and travel and representation, imposed against UNITA, contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998),

Recalling the provisions of resolution 864 (1993), and *expressing* its concern at the reports of supply to UNITA of military assistance, including weapons-related training and advice, and at the presence of foreign mercenaries,

Expressing its appreciation and strong support for the efforts of the Chairman of the Committee established pursuant to resolution 864 (1993) aimed at improving the effectiveness of the measures imposed against UNITA,



Noting with appreciation the decisions taken by the Organization of African Unity (OAU) and the Southern African Development Community (SADC) in support of the implementation of the measures imposed against UNITA,

Recalling the Final Communiqué of the meeting of Ministers of Foreign Affairs and Heads of Delegation of Non-Aligned Countries held in New York on 23 September 1999, and *noting* the Final Document adopted by the XIII Ministerial Conference of the Movement of Non-Aligned Countries held at Cartagena, Colombia, from 7-9 April 2000 in support of the implementation of the measures imposed against UNITA,

A

Determining that the situation in Angola constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation of all Member States to comply fully with the measures imposed against UNITA contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998), and *emphasizes* that non-compliance with those measures constitutes a violation of the provisions of the Charter of the United Nations;

2. *Welcomes* the report of the Panel of Experts established pursuant to resolution 1237 (1999) (S/2000/203), and *notes* the conclusions and recommendations contained therein;

3. *Requests* the Secretary-General to establish a monitoring mechanism composed of up to five experts, for a period of six months from its effective entry into operation, to collect additional relevant information and investigate relevant leads relating to any allegations of violations of the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998), including any relevant leads initiated by the Panel of Experts, including through visits to relevant countries, and to report periodically to the Committee, including providing a written report by 18 October 2000, with a view to improving the implementation of the measures imposed against UNITA, and *further requests* the Secretary-General, within 30 days of adoption of this resolution and acting in consultation with the Committee, to appoint experts to serve on the monitoring mechanism;

4. *Calls upon* all States to cooperate with the monitoring mechanism in the discharge of its mandate;

5. *Expresses* its intention to review the situation regarding the implementation of the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998) on the basis of information provided, *inter alia*, by the Panel of Experts, by States, including in particular any that are mentioned in the report of the Panel of Experts, and by the monitoring mechanism established by this resolution, *expresses also* its readiness, on the basis of the results of this review, to consider appropriate action in accordance with the Charter of the United Nations in relation to States it determines to have violated the measures contained in those resolutions, and *establishes* 18 November 2000 as the deadline for an initial decision in this regard;

6. *Further undertakes* to consider, by 18 November 2000, the application of additional measures against UNITA under Article 41 of the Charter of the United Nations and the development of additional tools to render the existing measures imposed against UNITA more effective;

7. *Welcomes* the decisions of several of the States referred to in the report of the Panel of Experts to establish interdepartmental commissions and other mechanisms to investigate the allegations contained in the report, *invites* those States to keep the Committee informed of the results of such investigations, *further invites* other States referred to in the report to consider the allegations contained therein, *takes note* of the information provided to the Council by States in response to the conclusions and recommendations of the Panel of Experts, and *requests* the Committee to consider fully all such information, including, where appropriate, through discussion with representatives of the States concerned, and to invite the submission of additional information where appropriate;

B

With regard to the trade in arms,

8. *Encourages* all States to exercise all due diligence, in order to prevent the diversion or trans-shipment of weapons to unauthorized end-users or unauthorized destinations where such diversion or trans-shipment risks resulting in the violation of the measures contained in resolution 864 (1993), including by requiring end-use documentation or equivalent measures before exports from their territories are allowed, and *further encourages* all States to ensure effective monitoring and regulation in the export of weapons, including by private arms brokers, where they do not already do so;

9. *Invites* States to consider the proposal to convene one or more conferences of representatives of countries that are manufacturers and, in particular, exporters of weapons for the purpose of developing proposals to stem the illicit flow of arms into Angola, *calls* for the provision of necessary financial support for such conferences by States, and *urges* that representatives of the SADC Member States be invited to participate in any such conference or conferences;

C

With regard to the trade in petroleum and petroleum products,

10. *Encourages* the convening of a conference of experts to devise a regime for curbing the illegal supply of petroleum and petroleum products into UNITA-controlled areas, including physical inspection as well as the broader monitoring of petroleum supply in the area, and *further encourages* any such conference to focus on the role and capacity of SADC in the implementation of such a regime;

11. *Invites* SADC to consider the establishment of monitoring activities in the border areas adjacent to Angola for the purpose of reducing the opportunities for the smuggling of petroleum and petroleum products into areas under the control of UNITA, including through the monitoring of fuel supplies and transfers thereof;

12. *Invites* SADC to take the lead in establishing an information-exchange mechanism involving petroleum companies and governments to facilitate the flow of information regarding possible illegal diversions of fuel to UNITA;

13. *Further invites* SADC to take the lead in carrying out chemical analysis of fuel samples obtained from petroleum suppliers in the SADC region and, using the results, to create a database for the purpose of determining the sources of fuel obtained or captured from UNITA;

14. *Calls upon* the Government of Angola to implement additional internal controls and inspection procedures with respect to the distribution of petroleum and petroleum products for the purpose of enhancing the effectiveness of the measures contained in resolution 864 (1993), and *invites* the Government of Angola to inform the Committee of the steps taken in this regard;

15. *Calls upon* all States to enforce strictly safety and control regulations relating to the transportation by air of fuel and other hazardous commodities, in particular in the area around Angola, *urges* States to develop such regulations where they do not exist already, and, in this regard, *requests* all States to provide relevant information to the International Air Transport Association, the International Civil Aviation Organization (ICAO) and the Committee;

D

With regard to the trade in diamonds,

16. *Expresses* its concern that illicit trade in diamonds constitutes a principal source of funding for UNITA, *encourages* States hosting diamond markets to impose significant penalties for the possessing of rough diamonds imported in contravention of the measures contained in resolution 1173 (1998), *emphasizes*, in this connection, that the implementation of the measures contained in that resolution requires an effective Certificate of Origin regime, *welcomes* the introduction by the Government of Angola of new control arrangements involving redesigned and reconcilable Certificates of Origin, and *invites* the Government of Angola to provide Member States with full details of the Certificate of Origin scheme and to brief the Committee on this scheme;

17. *Welcomes* the steps announced by the Government of Belgium on 3 March 2000 in support of the more effective implementation of the measures contained in resolution 1173 (1998), *welcomes also* the establishment by the Government of Belgium of an inter-ministerial task force to curb sanctions violations, *further welcomes* the measures taken by the Diamond High Council, in conjunction with the Government of Angola, to render sanctions more effective, *invites* the Government of Belgium and the Diamond High Council to continue to cooperate with the Committee to devise practical measures to limit access by UNITA to the legitimate diamond market and *welcomes* their public affirmations in this regard, and *further invites* other States hosting diamond markets, as well as other States closely involved with the diamond industry, also to cooperate with the Committee to devise practical measures to the same end and to inform the Committee of measures taken in this regard;

18. *Welcomes* the proposal that a meeting of experts be convened for the purpose of devising a system of controls to facilitate the implementation of the

measures contained in resolution 1173 (1998), including arrangements that would allow for increased transparency and accountability in the control of diamonds from their point of origin to the bourses, *emphasizes* that it is important that, in devising such controls, every effort be made to avoid inflicting collateral damage on the legitimate diamond trade, and *welcomes* the intention of the Republic of South Africa to host a relevant conference this year;

19. *Calls upon* relevant States to cooperate with the diamond industry to develop and implement more effective arrangements to ensure that members of the diamond industry worldwide abide by the measures contained in resolution 1173 (1998) and to inform the Committee regarding progress in this regard;

E

With regard to funds and financial measures,

20. *Encourages* States to convene a conference of experts to explore possibilities to strengthen the implementation of the financial measures imposed against UNITA contained in resolution 1173 (1998);

21. *Calls upon* all States to work with financial institutions on their territory to develop procedures to facilitate the identification of funds and financial assets that may be subject to the measures contained in resolution 1173 (1998) and the freezing of such assets;

F

With regard to measures relating to travel and representation,

22. *Emphasizes* the importance of States acting to prevent the circumvention on or from their territory of the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998), and *invites* States to review the status of UNITA officials and representatives, as well as all adult members of their families, designated by the Committee pursuant to resolution 1127 (1997) and believed to be residing on their territory, with a view to suspending or cancelling their travel documents, visas and residence permits in conformity with that resolution;

23. *Calls upon* States that have issued passports to UNITA officials and adult members of their families designated by the Committee pursuant to resolution 1127 (1997) to cancel those passports in conformity with paragraph 4 (b) of that resolution and to report to the Committee on the status of their efforts in this regard;

24. *Requests* the Committee, in consultation with the Government of Angola, to update the list of UNITA officials and adult members of their immediate families who are subject to travel restrictions and to expand the information contained in that list, including date and place of birth and any known addresses, and *further requests* the Committee to consult relevant States, including the Government of Angola, regarding the possible expansion of that list, drawing on the information set out in paragraphs 140 to 154 of the report of the Panel of Experts;

G

With regard to additional steps,

25. *Invites* SADC to consider the introduction of measures to strengthen air traffic control systems in the subregion for the purpose of detecting illegal flight activities across national borders, and *further invites* SADC to liaise with ICAO to consider the establishment of an air traffic regime for the control of regional air space;

26. *Urges* all States to make available to the Committee information on the violation of the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998);

27. *Further urges* all States, including those geographically close to Angola, to take immediate steps to enforce, strengthen or enact legislation making it a criminal offence under domestic law for their nationals or other individuals operating on their territory to violate the measures imposed by the Council against UNITA, where they have not already done so, and to inform the Committee of the adoption of such measures, and *invites* States to report the results of all related investigations or prosecutions to the Committee;

28. *Encourages* States to inform the relevant professional associations and certification bodies of the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998), to seek action by these bodies where those measures are violated, and to consult with such bodies with a view to improving the implementation of those measures;

29. *Invites* the Secretary-General to strengthen collaboration between the United Nations and regional and international organizations, including Interpol, that may be involved in monitoring or enforcing the implementation of the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998);

30. *Further invites* the Secretary-General to develop an information package and media campaign designed to educate the public at large on the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998);

31. *Welcomes* the appeal, by the Council of Ministers of the OAU meeting in Algiers in July 1999, to all Member States of the OAU to work strenuously for the implementation of all Security Council resolutions, especially those relating to measures imposed against UNITA (A/54/424, annex I), *undertakes* to convey the report of the Panel of Experts to the Chairman of the OAU, and *requests* the Secretary-General to transmit the report to the OAU Secretary-General;

32. *Underlines* the important role played by SADC in the implementation of the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998) and its determination to strengthen the implementation of the measures against UNITA, *invites* SADC to make known to the Committee what assistance SADC requires in implementing this and previous relevant resolutions, *expresses* its intention to initiate a dialogue with SADC with regard to the implementation of activities contained in this resolution, *strongly urges* States and international organizations to consider the provision of financial and technical assistance to SADC in this regard, *recalls* the Final Communiqué of the Summit of the Heads of State or Government of SADC adopted at Grand Baie, Mauritius, on 13 and 14 September 1998

(S/1998/915) relating to the application of measures imposed against UNITA, *undertakes* to convey the report of the Panel of Experts to the Chairman of SADC, and *requests* the Secretary-General to transmit the report to the Executive Secretary of SADC;

33. *Decides* to remain actively seized of the matter.



Security Council

Distr.: General

17 April 2000

Original: English

Letter dated 17 April 2000 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council

In accordance with rule 37 of the provisional rules of procedure of the Security Council, having requested participation in the open debate to be held in the Security Council Chamber today, Monday, 17 April 2000, for consideration of the agenda item pertaining to sanctions, I regrettably have to be away from the United Nations on other matters and will not be able to deliver my statement in person.

I should be grateful if my statement intended for the 4128th meeting of the Security Council concerning general issues relating to sanctions could be circulated as a document of the Security Council.

(Signed) Ahmed **Aboul Gheit**
Ambassador and Permanent Representative



Annex to the letter dated 17 April 2000 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council

[Original: Arabic]

Statement by Ambassador Ahmed Aboul Gheit, Permanent Representative of the Arab Republic of Egypt to the United Nations to the Security Council concerning sanctions

Mr. President:

Egypt takes great interest in the issue of sanctions imposed by the Security Council because of its relationship to the question of the maintenance of international peace and security and because of the political, economic and social effects that the imposition of sanctions can have. The philosophy of imposing sanctions rests on the achievement of two interconnected goals, namely to deter and punish States or Governments that threaten international peace and security or commit acts of aggression and, on the other hand, to rectify the conduct of the State or Government on which the sanctions are imposed. If sanctions fail to achieve either of these goals, their *raison d'être* ceases and they thus have no intrinsic purpose. Accordingly, sanctions are an exceptional measure that should not be resorted to except in the extreme cases provided for in Chapter VII of the Charter and after all means of pacific settlement of disputes provided for in Chapter VI of the Charter have been exhausted. Accordingly, they should be applied in accordance with firm, objective and declared criteria for a specific term so that they do not become a political tool in the hand of the Security Council. Moreover, sanctions should be adopted without allowing the individual political considerations of Council members — particularly the permanent members — to prevail over the collective views of the members of the Council and of the United Nations as a whole.

When the Security Council is about to impose sanctions on a State, it must bear in mind the possibility of affording the States on which the sanctions are to be imposed an opportunity to set forth their views before the Council before it embarks on the imposition or renewal of sanctions. We also call for States that are not members of the Council that believe that the imposition of sanctions is injurious to their interests be allowed to participate in the discussion of such sanctions, if the Council considers that their interests are especially affected through such sanctions, in accordance with Article 31 of the Charter. In this connection, we draw the attention of the Council to the position paper concerning sanctions that the General Assembly adopted within the framework of *An Agenda for Peace* and that we would have expected the Security Council to utilize.

Mr. President:

We have drawn attention also to the collateral damage caused by the sanctions imposed under Chapter VII of the Charter with regard to the people of the State on which the sanctions are imposed, as witness the deterioration in the humanitarian situation in Iraq or the hardships suffered by the Libyan people, which still continue. Sanctions must not be a tool for subjugating entire peoples. Unfortunately, sanctions frequently also inflict large-scale damage on the interests of third States and their

peoples whose interests are linked to those of the State on which the sanctions are imposed, as has been the case with regard to Egypt, because of considerations the details of which lie outside the scope of our discussions today.

The Charter of the United Nations by no means authorizes damage to the interests of such third States. On the contrary, it has devised a mechanism to which the Security Council has so far not had to resort, namely for the Council to consult the States concerned and obtain their view before adopting its decision to impose the penalty on the State in question, in order that the Council may have before it the full picture in all its political, economic and humanitarian dimensions. Accordingly, we invite the Council once again to consider establishing more permanent mechanisms and measures for the holding of the consultations provided for in Article 50 of the Charter with third States that find themselves confronted or may find confronted with special economic problems arising from the carrying out of those preventive or enforcement measures imposed by the Council, with a view to devising solutions to these problems, including ways and means to enhance the effectiveness of its working methods and the measures applied when it considers applications for assistance submitted by injured States. In this connection, we welcome the statement by the President of the Security Council in his note S/1999/92, which contains a number of practical proposals for improving the work of the sanctions committees, that all members of the Council had indicated their agreement that the practical proposals set forth in the note should be used. We also reaffirm the role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in identifying solutions to economic problems suffered by those States. We also call upon the institutions of the United Nations system, the international monetary institutions and other international and regional organizations, as well as Member States within the Organization, to participate in those efforts on the basis of the principle of the equitable distribution and division of burdens, inasmuch as they are currently being borne solely by the injured third States. This was the view of the International Court of Justice in its Advising Opinion of 1962 concerning "*Certain Expenses of the United Nations*". We should mention here that the aim is not simply to make a theoretical or technical evaluation but to implement Article 50 of the Charter in full and to place the Security Council before its responsibility with regard to non-impairment of the interests of third States and alleviation of the severity of such impairment where it is determined to have occurred. On this basis, we believe that the conclusions arrived at by the Ad Hoc Expert Group convened in June 1998 in accordance with General Assembly resolution 52/162 to develop a methodology for assessing the consequences incurred by third States constitute an important step towards the practical implementation of the provisions of Articles 49 and 50 of the Charter.

Mr. President:

On the basis of Egypt's firm position of rejection of the imposition of collective sanctions on entire peoples and on the basis also of the proven inefficacy of current sanctions, we noted with interest the Secretary-General's statement in his recent report on the work of the Organization concerning the importance of according consideration to "targeted sanctions" or "smart sanctions". While resort to such measures would alleviate the impact on the peoples of States on which sanctions are imposed, they would lead directly to an embargo on those responsible for the imposition of sanctions on their peoples by exposing them to pressure to a degree that would make them desist from endangering peace and security, either by

imposing rigorous financial restrictions on them or restrictions on their freedom of movement and that of their families or by other similar measures. In this connection, I would draw attention to the successes achieved by this new system in specific cases, but let me not omit to mention that experience has demonstrated a need for further study, since this type of sanctions has failed to achieve its purpose in other cases.

Mr. President:

With regard to the method of dealing with the proposals and recommendations set forth for enhancing the effectiveness of the sanctions system, we are wary of calling upon the Council to establish a working group to study such proposals and recommendations. I should like in this regard to emphasize the need for the Council to deal with this topic within the framework of full respect for the delicate balances between the principal organs established by the Charter of the United Nations, in particular the General Assembly, as well as other organs inside and outside the United Nations. While we do not gainsay the Council's competence with regard to the application of sanctions under Chapter VII, inasmuch as it is the executive organ entrusted with this task, we believe that rules and directives for the implementation of the provisions of the Charter of the United Nations, including provisions relating to the adoption of enforcement measures, must be drawn up within the framework of the General Assembly and its competent committees, inasmuch as it is the legislative organ of the international Organization.

Accordingly, the alternative course that we deem appropriate in this regard is to entrust this task to the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, thus ensuring the necessary expertise, transparency and democracy.

Mr. President:

On the subject of transparency, I would call upon the Council to accord particular attention to the mode of preparing Council reports on sanctions. The previous report submitted by the Council to the General Assembly did not take into account the circumstances that led to the imposition of the sanctions, their purpose in every case and the result of their imposition. We therefore hope that the next report will contain an evaluation of the results of the application of the sanctions, with a view to assessing the degree of their effectiveness and the extent to which they strengthen the purposes and principles of the United Nations, on the one hand, and the extent of their impact, at the internal and at the regional level, on the State on which they are imposed, on the other. We therefore request that the sanctions committees hold open formal meetings, that the proceedings of their closed meetings be recorded and that the proceedings of both types of meetings be reflected in the report.

Thank you, Mr. President.

**Security Council**

Distr.: General
17 April 2000

Original: English

**Letter dated 17 April 2000 from the Chargé d'affaires a.i. of the
Permanent Mission of Yugoslavia to the United Nations addressed
to the President of the Security Council**

I have been instructed by my Government to bring to your attention the fate of 43 Serbs who have been detained arbitrarily and without any legal grounds by the Kosovo Force (KFOR) and the United Nations Interim Administration in Kosovo (UNMIK) in the district prison in Kosovska Mitrovica, Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, for the past 10 months. Considering that the competent authorities, established by UNMIK, have taken no legal action over such a long period of time, 37 of the detained Serbs have been on hunger strike since 10 April. Their decision to go on strike was expedited by the release of Xhelai Ademi, an ethnic Albanian detainee, who had been under investigation for an attack on the residents of northern Kosovska Mitrovica and the throwing of two hand grenades on the members of the French KFOR, on which occasions 14 French soldiers and 22 Serbian civilians were wounded.

The detained Serbs request UNMIK to institute legal proceedings without delay and try their cases in a fair and impartial manner or to release them immediately. The failure to take requisite action is considered to be politically motivated and inconsistent with due process of law and amounts to a flagrant violation of human rights, specifically discrimination on an ethnic basis, and Security Council resolution 1244 (1999) of 10 June 1999.

I should be grateful if you would have the present letter and its enclosure circulated as a document of the Security Council.

(Signed) Vladislav Jovanovic
Chargé d'affaires a.i.



**Annex to the letter dated 17 April 2000 from the Chargé d'affaires
a.i. of the Permanent Mission of Yugoslavia to the United Nations
addressed to the President of the Security Council**

**List of 33 identified Serbian detainees on hunger strike in
Kosovska Mitrovica**

1. Kolasinac, Andjelko
2. Simic, Vekoslav
3. Levic, Stanislav
4. Matic, Nenad
5. Misic, Bogoljub
6. Jovanovic, Cedomir
7. Jovanovic, Stojan
8. Krstic, Novica
9. Misic, Danilo
10. Micic, Dejan
11. Vitosevic, Arsenije
12. Djinovic, Miodrag
13. Misic, Radislav
14. Matic, Sava
15. Jovanovic, Dragan
16. Aleksic, Vladimir
17. Aleksic, Srdjan
18. Vuckovic, Tomislav
19. Vucetic, Vladan
20. Gligorovski, Lazar
21. Vuckovic, Miroslav
22. Mutavdzic, Nebojsa
23. Popovic, Branislav
24. Simic, Igor
25. Simic, Zvezdan
26. Apostolovic, Radovan
27. Radulovic, Nenad
28. Peica, Dragisa
29. Stanojevic, Zoran
30. Joksimovic, Slobodan
31. Mladenovic, Ljubisa
32. Stolic, Ljubomir
33. Skulic, Milos

**Security Council**

Distr.: General
18 April 2000
English
Original: French

**Letter dated 17 April 2000 from the Permanent Representative of
Togo to the United Nations addressed to the President of the
Security Council**

In reference to my letter of 24 March 2000 (S/2000/256), I have the honour to transmit herewith the report of the Interministerial Commission of Inquiry on the allegations contained in the report of the United Nations Panel of Experts charged with investigating violations of the sanctions against the União Nacional Para a Independência Total de Angola (UNITA) (S/2000/203).

I take this opportunity to draw to your attention the fact that the Commission of Inquiry, which was the subject of my previous letter, was made up of the following public figures:

Mr. Atsu-Koffi Amega, President of the Constitutional Court;

Professor Ouattara Fambaré Natchaba, First Vice-President of the National Assembly; and

Mr. Fessu Lawson, President of the Supreme Court.

I should be very grateful if you would have the text of this letter and its annex issued as a document of the Security Council.

(Signed) Roland Y. Kpotsra



Annex to the letter dated 17 April 2000 from the Permanent Representative of Togo to the United Nations addressed to the President of the Security Council

Report of the Interministerial Commission of Inquiry on the allegations contained in the report of the United Nations Panel of Experts (S/2000/203)

Lomé, 14 April 2000

I. Introduction

The Government of Togo conveys its appreciation to the United Nations Panel of Experts chaired by Mr. Anders Möllander and charged with investigating violations of the sanctions against the União Nacional Para a Independência Total de Angola (UNITA), and takes this opportunity to reply in all sincerity and objectivity to the allegations contained in its report (S/2000/203 of 10 March 2000).

First, however, the Government wishes to thank Mr. Möllander and his Panel for having drawn its attention to the acts which have allegedly been committed by the Togolese authorities and Togolese individuals, and which, in their opinion, constitute violations of the sanctions against UNITA.

The Government of Togo also requests the President of the Security Council to give sympathetic consideration to this reply to the report of the Panel of Experts.

The international community and the Security Council cannot doubt that the Togolese head of State has always done his utmost to assist in the quest for peace and security in Africa, and particularly in our subregion, as demonstrated by his mediation efforts in various African countries.

Thus, President Eyadema has always taken advantage of Togo's excellent relations with all countries to promote the peaceful settlement of conflicts in Africa such as the border dispute between Mali and Burkina Faso, the civil wars in Chad and Sierra Leone, and the dispute between Nigeria and Cameroon on the subject of the Bakassi peninsula, to cite only a few examples.

In addition, in an effort to preserve peace and security in the Economic Community of West African States (ECOWAS), President Eyadema, together with President Obasanjo, initiated a Protocol on Non-

Aggression that was signed in Lagos by the 16 member States on 22 April 1978.

Furthermore, with a view to strengthening intervention capacities of the Organization of African Unity (OAU) Mechanism for Conflict Prevention, Management and Resolution, President Eyadema proposed at the 1994 session of that Organization, in Tunis, that a pan-African peacekeeping force should be created; this proposal was endorsed by his African peers and supported by the major Powers.

President Eyadema's mediation efforts have extended to the situation that has existed in Angola over 20 years. Togo has maintained an ongoing relationship with that country and has sought to promote peace between the parties to the conflict raging in Angola.

Togo considers that lasting peace and national reconciliation in Angola can be ensured only through political dialogue, not through the use of weapons.

This position has not always been understood.

On three occasions, in order to dispel suspicion, the Togolese Republic has opened its doors to groups of Angolan public figures sent by President dos Santos in order to investigate UNITA activities in Togo. All these investigations have shown that the suspicions were groundless.

Recently, at the initiative of the Angolan authorities, a high-level delegation from the Angolan Ministry of the Interior, led by Mr. José Maria Camacho, Representative of the Director-General of Intelligence Services of the Department of Special Services, visited Togo from 4 to 10 March 2000 in order to verify the allegations that UNITA troops were being trained at the National Commando Training Centre in Kpéwa, 150 kilometres from Lomé at the Kara garrison.

During its visit, the Angolan delegation determined that there was nothing in the Cer-

documents and training rosters to support the theory that UNITA soldiers had received any military training whatever there; on the contrary, the head of delegation, Mr. Campos, acknowledged that no Angolan had spent time at the Centre, and expressed the hope that it would continue to fulfil its African mandate as it had done in the past and that it would one day admit Angolans for military training.

It should also be recalled that it was with a view to a peaceful settlement of the Angolan conflict that Mr. Alioune Blondin Beye, Special Representative of the Secretary-General for Angola, stated in Lomé on 26 June 1998 that the Secretary-General had sent him to seek the good offices of President Eyadema.

President Eyadema agreed to this role and informed the Secretary-General of the United Nations regularly of the steps that he was taking in order to carry out this mission.

Despite President Eyadema's efforts, the Angolan authorities successfully kidnapped Mr. Savimbi's eldest son, Araujo, a 19-year-old student, in Lomé in October 1999. On 12 November 1999, the attempted abduction of Araujo's younger brother, 17-year-old Eloy Sakaita, also a student, by Mr. Manuel da Silva Casimiro, Second Secretary at the Angolan Embassy in Lagos, failed only because of the student's vigilance in alerting the Togolese security forces in time.

After his arrest on kidnapping charges, the Second Secretary confessed, claiming to have acted on his own initiative in the hope of a promotion. Despite this hostile act and contrary to diplomatic practice, President Eyadema ordered him to be released and turned over to the Angolan authorities.

It is incomprehensible that after investing so much in the promotion of peace and security in Africa, Togo and its President have been the subject of so many unjustified accusations.

The Government of Togo hereby affirms that it has been falsely accused of violating the sanctions imposed on UNITA and that those charges will not stand up to any in-depth analysis.

However, before embarking on such an analysis, it is important to summarize briefly the progressive development of international censure and the embargo measures decreed by the United Nations against UNITA, led by Mr. Jonas Savimbi.

Mr. Savimbi, having broken with the Angolan Government headed by Mr. dos Santos, had been leading a war against that Government since 1975, a fact which had led to the imposition of several United Nations sanctions:

- In 1993, concerning arms, related *matériel* equipment and petroleum products;
- In 1997, concerning the freezing of bank accounts, the closing of UNITA offices abroad and the prohibition of foreign travel by its officials; and
- In 1998, prohibiting the purchase of diamonds mined in areas controlled by UNITA.

When these sanctions proved ineffective, the Security Council, at the recommendation of the Secretary-General, established a Panel of Experts in its resolution 1237 (1999) in order to consider the origin of violations concerning weapons trafficking, provision of petroleum products, the diamond trade and the movement of UNITA funds.

The report of this Panel of Experts harshly accuses Togo in allegations that are vague, false and even defamatory.

II. Critique of the methods used by the Panel of Experts in gathering the allegations against Togo

In paragraph 11 of its report, the Panel of Experts stated that, in its work, it had "been especially careful to use only information that [had] been confirmed or corroborated by more than one source in which the Panel [had] confidence". Yet this principle was not applied by the experts, who contented themselves with statements by only one party, namely UNITA deserters and defectors who have gone over to the Luanda Government.

This is true of the statements made by the man known as Kallias, such as those cited in paragraphs 32 and 33 among others.

Were these statements confirmed or corroborated by other evidence?

There is no proof that this is the case. It is a principle of law, as far as the gathering of evidence is concerned, that anyone bringing an action in court or

making an accusation against a third party has an obligation to prove it. The Panel of Experts should thus have sought other elements to confirm the allegations of this Kallias. But the experts contented themselves with compiling rumours and gossip that have not been corroborated by any convincing evidence.

Can one really give credence to such obviously fanciful and incidental statements?

Can a United Nations report rely on all this nonsense, which is nothing more than scandalmongering, to make such grave allegations against a State and its President, a man who is recognized for his role in the resolution of inter-African conflicts?

III. Examination of the allegations contained in the report

The allegations against the Togolese Government touch on each of the areas listed in the report:

- Violations of the embargo on arms and military equipment;
- Violations of the embargo on petroleum and petroleum products;
- Violations of the embargo on diamonds;
- Violations of the sanctions on UNITA representation and travel abroad;
- Violations of the sanctions on UNITA assets and finances.

The Togolese Government categorically refutes each of these allegations:

A. Violations of the embargo on arms and military equipment

Several allegations have been made against Togo concerning the purchase of arms and military equipment that were reportedly stored in Togo and transferred to the real consignee, UNITA: the report mentions SAM6 missiles and a BM-27 Multiple Launch Rocket system that came from Ukraine.

On this point, Togo acknowledges that in 1995 UNITA officials requested the assistance of the Minister of National Defence in acquiring military equipment. These requests continued until 1997. In the meantime, UNITA presented to the Minister of

National Defence documents showing that this procedure had already been used with several other countries.

It was on the basis of this information that the Minister of National Defence then instructed the Chief of Staff of the Togolese armed forces to make all the practical arrangements for the ordering of this equipment.

The head of State and Commander-in-Chief was furious when he was informed of this later. He emphasized that this initiative of the Minister of National Defence contravened the latest United Nations resolution and, moreover, was at odds with his own role as facilitator between the Luanda Government and UNITA. The head of State therefore considered it inconceivable that our country should enable one of the parties to obtain supplies of military equipment. He clearly expressed his conviction that the Angola problem could be resolved only through dialogue, not through arms.

In the light of the above, the head of State first ordered the confiscation of the equipment in question and then relieved the Minister of National Defence of his duties on account of his gross misconduct.

The head of State steadfastly and categorically refused the repeated demands of UNITA representatives for the restitution of the equipment.

With regard to the use of false end-user certificates, it is worth referring to the statement made by the Permanent Representative of Togo to the United Nations, Mr. Kpotsra:

"In one of those very few cases where the information given by a defector, in this case General Bandua, was indeed verified by the Panel of Experts, the information proved to be unfounded. To be specific, let me refer to paragraph 40 of the report:

'General Bandua stated that he thought that a BM-27 (Hurricane) Multiple Launch Rocket system had come from Ukraine, via Togo. However, the Government of Ukraine reported that there were no authorized arms sales from Ukraine to Togo during the relevant period.'

On this point, the report concludes again in paragraph 40:

'The Panel's investigation turned up no evidence that the Government of Ukraine sold arms or otherwise

provided military assistance directly or indirectly to UNITA.'

So why does the Panel not exonerate Togo in this case in the same way as it exonerated Ukraine?"

The following observations are also worth making:

- The report does not indicate the dates of the certificates; were they before or after 15 September 1993?
- Nor is there any indication who signed them.
- Even if these certificates did actually exist, nothing proves that the products certified were sent to UNITA.

The report is vague in this respect, leading to serious confusion, particularly since the same report mentions a disagreement between Mr. Savimbi and the Togolese head of State over the arms intended for Mr. Savimbi.

Thus, the report shows that the efforts of UNITA in Togo failed.

With regard to the transit of arms and military equipment, the report does not specify either the period in question (when the aircraft arrived in Lomé) or the flight plan. The lack of clarification on so many details makes for a muddled report. Clarification would have enabled the Togolese Government to respond.

Togo does not exclude the possibility that it was misled at some point. However, under no circumstances should any error regarding the destination of the arms be seen as the result of a deliberate violation.

B. Violations of the sanctions on petroleum and petroleum products (refuelling of aircraft in Togo)

The Togolese Government cannot make any definite statement regarding the assertion that aircraft involved in sanctions violations had managed on some occasions to escape the vigilance of the competent authorities monitoring Togolese airspace and had been granted authorization for overflight and/or landing in Togolese territory.

To do so, information on the type and registration of the aircraft in question would be necessary, as well as the dates and locations of the refuelling.

In all cases, it should be borne in mind that the refuelling services do not request authorization from the Government before selling their products. Likewise, they do not inquire into the origin of the aircraft to be refuelled, nor the nature of their cargo. Fuel is sold on the basis of free trade.

C. Violations of the sanctions on diamonds

General Bandua alleges that he gave the Togolese President a "passport-sized" packet of diamonds.

Togo is not a diamond-marketing centre; the panellists themselves know this and are aware of the locations where diamonds coming from UNITA-occupied areas are sold openly.

It is therefore dismaying to think that a head of State could be party to the tactics to which the UNITA representative, General Bandua, refers.

True, gifts may be exchanged between heads of State on the occasion of an official visit; but Mr. Savimbi is not a head of State and no gifts have ever been exchanged between the two men.

The General, who is known for his frequent shifts of position, has never been alone with Mr. Savimbi in the presence of President Eyadema, for the President, whenever he receives any visitor, ensures that at least one member of his staff is present.

D. Violations of the sanctions concerning representation and travel abroad by members of UNITA

Diplomatic passports could have been issued before the sanctions. The persons who benefited or could have benefited from this type of privilege commonly extended by States were not, to the knowledge of the Togolese authorities, identified as being subject to sanctions.

Furthermore, it is difficult to avoid substitutions of names and the use of false names; in any case, the Government of Togo is not responsible for these deceptions, nor can they be interpreted as constituting sanctions violations by Togo.

As for the alleged secret relationship between the representatives of Mr. Savimbi and certain people close to the Togolese head of State, it is arguable that, if Mr. Savimbi did form such secret relationships, it was because he felt isolated from President Eyadema.

That is not impossible, for the UNITA network could not be completely destroyed after the 1998 sanctions, and that would have forced its members to go underground again and operate illicitly.

It is not unreasonable to believe that, faced with the isolation of Mr. Savimbi, individuals representing themselves as close associates of President Eyadema, but in reality far removed from him, could have taken advantage of the situation for their own purposes.

E. Violations of the sanctions concerning the material and financial assets of UNITA

President Eyadema has never received a cent from Mr. Savimbi, and the latter has never at any time given him money. Surely such a large sum (\$5 million) would have been deposited in a bank. Have the experts attempted to verify this allegation with the local banks?

Such an amount of money could not have been placed in the hands of one person, when UNITA deposits are known to be in foreign banks.

The Togolese authorities would be very interested in being shown the proof of a \$5 million deposit.

Furthermore, the report contains a series of monstrous contradictions.

It is not in dispute that Mr. Savimbi's children were received in Lomé, like many other Africans in difficult circumstances, essentially for humanitarian reasons. For those reasons, President Eyadema spent money from his own pocket for the children, as the report acknowledges.

It is therefore irresponsible to maintain that President Eyadema could have pocketed part of the amount Mr. Savimbi deposited with him; this is an attack on the honour of a head of State.

Considering the gravity of the accusation, which questions the honour and dignity of President Eyadema, it should have been supported not by generalities, but by specific and verifiable facts.

IV. Conclusion

The report contains no serious or substantive elements to enlighten the members of the Security Council; therefore, it creates doubt in their minds.

Consequently, they should plainly and simply refrain from endorsing it.

Togo wishes to reiterate its desire to contribute to the peaceful settlement of the Angola problem. In that regard, it reaffirms that it will never become a purveyor of weapons to either of the parties.

As an indication of its good faith, the Government of Togo has:

1. Revoked and is continuing to recall all the Togolese passports issued to certain members of UNITA. Likewise, the Government of Togo will apply the same measures to other passport-holders identified by the Committee on sanctions;
2. Committed itself to ensuring strict observance of the various sanctions imposed on UNITA;
3. Established a national committee to follow up the various United Nations resolutions imposing sanctions on UNITA, and to monitor their full execution;
4. Invited the United Nations experts to return to Togo, as their previous mission did not allow a constructive dialogue to be established.